

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Petition for Rulemaking or, in the Alternative,)	DA 03-4027
Petition to Address Referral Issues in Pending)	
Rulemaking)	
)	
Implementation of the Pay Telephone)	CC Docket No. 96-128
Reclassification and Compensation Provisions)	
of the Telecommunications Act of 1996)	

MOTION FOR ACCEPTANCE OF LATE-FILED PLEADING

Pursuant to section 1.45 of the Commission's Rules, 47 C.F.R. § 1.45, The Ohio Department of Rehabilitation and Correction ("ODRC") hereby submits this Motion to accept its late-filed comments in the above-captioned proceeding. Grant of this motion would serve the public interest and would assist in developing a complete record upon which to resolve the issues raised in the instant proceeding.

ODRC's Telecommunications Coordinator, Richard L. Swain, attempted on March 8, 2004, to electronically file ODRC's Comments and his supporting Affidavit, which are being simultaneously submitted with this Motion as a separate file, using the Commission's Electronic Comment Filing System (ECFS). The best evidence of that attempt is a print-out of the Cover Sheet to the ECFS, which indicates the date of "3/8/2004" in the lower right hand corner of pages one and two of Exhibit A, which is attached hereto and incorporated herein.

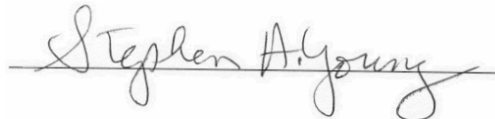
Additionally, Mr. Swain has verbally represented to me that he so attempted to file. Mr. Swain is new to the ECFS process and on March 25, 2004, he learned that he was not successful in his attempt to so transmit ODRC's Comments and his supporting Affidavit.

No party to this proceeding will be prejudiced by grant of this Motion. The Commission extended the deadline for submission of reply comments in this proceeding from March 31, 2004 to April 21, 2004. This would give all parties an opportunity to review ODRC comments before replies are due.

Accordingly, ODRC has shown good cause for its Comments and the Affidavit of Richard L. Swain to be accepted in to this proceeding. The extension of the deadline for replies and the lack of prejudice to any party, as well as the public interest in the public safety and welfare, warrant granting of the instant Motion.

Respectfully submitted,

The Ohio Department of Rehabilitation and Correction

A handwritten signature in cursive script that reads "Stephen A. Young". The signature is written in dark ink and is positioned above a horizontal line.

Stephen A. Young, Legal Counsel
1050 Freeway Drive North
Columbus, OH 43229
614-752-1765

March 26, 2004

**Federal Communications Commission****Electronic Comment File Submission**

Sending your comment is a 2-step process. The first step is to complete the Cover Sheet below. The second step is to choose one of the two transmittal methods: sending a file, or sending a short message that you type directly on this page.

Cover Sheet

1. **Proceeding** (e.g. 00-221, RM-9920) (required)

96-128

2. **Mail Correspondence To:** (required) ☒ Name ☐ Law Firm ☐ Attorney

3. **Name of Applicant/Petitioner** (required)

Martha Wright

4. **Law Firm Name** (optional)

5. **Attorney Name** (optional)

Stephen A. Young

6. **Email-id** (optional)

stephen.young@odrc.state.oh.us

7. **Mailing Address For Correspondence** (required)

1050 Freeway Drive North

8. **City** (required)

Columbus

9. **State** (required)

OH: OHIO

10. **Zip Code** (required)

43229

-

11. **Ex-Parte/Late Filed**

☐ (optional)

12. **Document Type** (required)

COMMENT

Clear Cover Sheet

Please complete ONE of the following:

Send Comment Files to FCC (Attachments)

File Description: COMMENT

File:

Browse...

Select one of these file types or convert your file to one of these types:

Adobe Acrobat PDF

Send Attached File to FCC

OR

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If you are entering over 70 characters on one line
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